

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
NORTHERN DIVISION**

26.6858

BRUCE GRIER,

PLAINTIFF,

VS.

NO. 3:19-cv-00323 PSH

**STEPHEN DAUGHERTY AND
J&H TRUCKING, INC.,**

DEFENDANTS.

**ORDER ON MOTION FOR PROTECTIVE
ORDER (D. E. 10) REGARDING PLAINTIFF'S MEDICAL RECORDS**

Defendants moved for the entry of a Protective Order (Docket Entry No. 10) regarding medical records of the Plaintiff for the purpose of satisfying the requirements under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), so that medical records may be subpoenaed according to the Federal Rules of Civil Procedure. Counsel for the parties consulted; Plaintiff's counsel does not oppose the entry of the Protective Order.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that:

The Defendants shall be permitted to acquire medical records through subpoena duces tecum served upon the appropriate medical records custodians as provided under the Federal Rules of Civil Procedure, subject to the following two requirements:

- (1) The parties are prohibited from using or disclosing the protected health information acquired through subpoena for any purpose other than the present litigation for which the information is requested; and

- (2) The parties are required to return the information to the medical provider from which the medical records are subpoenaed, or destroy the health information (including all copies made) at the end of the litigation, proceeding or a time designated by the parties.



MAGISTRATE JUDGE PATRICIA S. HARRIS

DATE: June 11, 2020